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September 11, 2013
VIA E-MAIL *FORRESTNYSDCHAMBERS@NYSD.USCOURTS.GOV*

The Honorable Katherine B. Forrest
United States District Judge
United States District Court for the Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 730
New York, New York 10007

**Re: In re: 650 Fifth Avenue and Related Properties
08 CV 10934 (KBF) and All Member and Related Cases**

Dear Judge Forrest:

This office is counsel to the Estate of Michael Heiser, et al. (the "Heisers") in the above-referenced matter. We have identified a few misnomers in the Heisers' turnover petition with regard to the description of seven of the Heisers who were inadvertently listed as living but were actually deceased or who were listed as being a minor but who was actually over 18 years of age at the time of the filing of the turnover petition. These misnomers are as follows:

- Sharon Marthaler, should be Estate of Sharon Marthaler
- Gary Heiser, should be Estate of Gary Heiser
- Sandra M. Wetmore, should be Estate of Sandra M. Wetmore
- Kendall K. Kitson, should be Estate of Kendall K. Kitson, Sr.
- Nancy R. Kitson, should be Estate of Nancy R. Kitson
- Laura E. Johnson, should be Estate of Laura E. Johnson
- Kevin Johnson, a minor, by his legal guardian Shyrl L. Johnson, should be Kevin Johnson, Jr.

The status of these plaintiffs has remained the same since the date of the filing of the Heisers' turnover petition. The Heisers respectfully request that the Court treat this letter as a letter motion and enter an order approving the Heisers' request that the names of the above-referenced plaintiffs in the turnover petition be corrected as provided above. The requested correction of the description of these plaintiffs does not affect the procedural posture of this case in any way.



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If the Court would prefer, the Heisers will submit a formal motion.

Respectfully submitted,

DLA Piper LLP (US)

Richard M. Kremen

cc: All counsel of record

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